



City of LEWISTON *Maine*

**Department of Public Works
Water & Sewer Divisions**

101 ADAMS AVE • PO BOX 7250 • LEWISTON, ME 04240
PHONE 207-782-8275 • FAX 207784-5647

Water & Sewer Divisions Customer Service Policy & Procedure Manual

I. Application for Service

Anyone may apply for water and/or sewer service to a property provided they are the owner, owner's agent, or an occupant of the property to be served.

The Water & Sewer Divisions (hereafter referred to as the Utility) must treat all applicants in an equal and non-discriminatory manner, without regard to race, sex, age, national origin, or marital status.

Upon request for service, the utility will require an "Application for Service" to be completed. The application will be completed at the Water & Sewer Business Office at 103 Adams Ave by the person requesting service.

At the utility's discretion, applications may be faxed to commercial applicants or those out-of-town. Sufficient proof of identification will be required of the applicant. The preferred proof of identification is the applicant's tax identification number. In lieu of the tax identification number, a driver's license number or similar identification may be accepted.

Upon review of an application, the utility will investigate for 'proof that the applicant is likely to be a credit risk'. This investigation may include:

- a.) Reviewing outstanding water receivable balances (for the past six years),
- b.) Reviewing outstanding utility receivables, including sewer balances (for the past 12 months)
- c.) Reviewing internal collection reports and the computer system to determine if customer has been disconnected for any utility service in the past 12 months or filed for bankruptcy.

A fee for establishing or transferring water service will be charged to the new account. The fee will be that amount specified in the utility's Terms and Conditions as approved by the Maine Public Utilities Commission.

If a request for service is denied by the utility, the applicant will be informed both orally and in writing of the reasons for the denial and how to dispute the decision. (PUC, Ch. 81, §4, D)

A. Fees

If it is necessary to visit the property for connection, the utility will charge a fee to establish water service. Connection after 2:30 pm weekdays and on weekends or holidays will be charged a higher fee. The fees will be those amounts specified in the utility's Terms and Conditions as approved by the Maine Public Utilities Commission.

B. Deposits

1. When a Deposit is Required

Residential:

All tenant properties require a sewer deposit of \$100 for each unit covered by the account.

If it is deemed the customer is a credit risk, the applicant will be requested to provide a water deposit in the amount of two (2) quarters of expected water usage. (PUC, Ch. 81, §5)

Non-Residential (Commercial or Industrial):

All tenant properties require a sewer deposit of \$100 for each unit covered by the account.

The utility will require a water deposit from any non-residential customer as a precondition of service, which shall not exceed an amount based upon two (2) quarters of expected water usage.

2. Payment of Deposits

Deposits are expected within thirty (30) days of the date of notice that a deposit is required or service will be terminated. The utility will require the full deposit immediately if the customer is already using a payment arrangement to pay an overdue bill.

3. Refund of Deposits (PUC, Ch. 81, §5, C)

Any deposit collected by the utility will be refunded to the customer after the customer has made four (4) consecutive quarters of payments in a timely manner. The deposit will accumulate interest at the rate stipulated each year by the Maine Public Utilities Commission. Interest will be calculated on a quarterly basis and refunded to the customer's account upon refund of the principal balance.

In the event the customer has not made timely payments during the twelve (12) month period, the utility will hold the deposit until such time as the account is disconnected, either for delinquency or at the customer's request. The deposit will be drawn upon to collect the outstanding balance on a disconnected account; any amount remaining after paying the outstanding receivable balance will be refunded to the customer within 30 days of the account being closed.

4. 3rd Party Guarantor (PUC, Ch. 81, §5, F)

In lieu of a deposit, the utility may accept a third-party guarantee. The guarantor must be a customer in good standing with the utility. The agreement will be in writing and signed by the guarantor and the utility, and be for at least one year. If the agreement is voided by either the guarantor or the utility, a deposit will be required from the applicant unless the applicant has made twelve (12) consecutive months of payments in a timely manner.

C. Old Unpaid Bills (PUC, Ch. 81, §4, F-H)

Any balances outstanding from previously closed accounts will be transferred to the new account immediately, and a payment agreement on the balance will be required. The utility reserves the right to transfer the balance within sixty (60) days of the new account being opened.

D. 3rd Party Notice

The utility will inform the customer of the right to request a copy of their bill be mailed to a third party. The applicant is still responsible for payment of the account, however.

II. Unauthorized Use of Service

When a new customer moves into a vacated service (e.g. residence, business, etc.) without applying for service, the utility will issue a three-day disconnection notice. The notice requires the customer to contact the utility and apply for service with the necessary information. The notice will be posted at the most visible door of the service location. If the customer does not contact the utility by the 4th day, the service will be disconnected.

III. Billing

A. Frequency

Each account will receive one bill per quarter, following a schedule set by the utility. The utility does reserve the right to render bills monthly if it so desires.

B. Information (PUC, Ch. 81, §3, F)

This bill will provide the following minimum information to the customer:

Beginning and ending dates of the period

The due date by which payment must be made

Penalty rate (%) and when penalties will be assessed
Previous Meter Reading, Current Meter Reading, Date read, and Consumption for period
The current services being billed and the amount due for each
The delinquent balance that has carried forward
The total balance due on the account
An indication of an Estimate (if bill is estimated)
Address and telephone number for the Water & Sewer Business Office

Customers are responsible for their account balance and should be aware of their billing schedule. Failure to receive a bill does not relieve the customer of his/her obligation for its payment, nor from the consequence of non-payment.

C. Services

1. Water

Water meters are read quarterly. Each account will be billed for consumption in hundreds of cubic feet based on the meter reading acquired. A minimum charge will be assessed to accounts using 1200 cubic feet or less. Minimum charges will be prorated on initial and final bills.

In the event an actual reading cannot be obtained, a postcard will be left at the property, giving the customer the opportunity to read the meter and report actual usage to the utility. If an actual reading is not received by mail or telephone prior to the day of billing, consumption will be estimated by the utility based on the consumption billed the prior quarter.

2. Sewer

These charges are included on the same bill as the water bill. Sewer charges are billed as one amount, comprised of the following two parts:

a. Consumption

The quantity of wastewater billed shall be based on the quantity of water consumed at that account as determined by the meter readings made by the Water Division. Commercial, industrial, and governmental accounts using large quantities of water may opt to install a separate meter, as approved by the utility, to measure the quantity of sewerage discharge for purposes of billing.

b. RTS

RTS (Ready-to-Serve) will be billed to each account quarterly as a flat rate, based on the size of the water service installed. RTS charges are billed in advance. RTS charges will be prorated on initial and final bills.

3. Sprinkler/Hydrant Fees

Fees for public & private fire protection will be billed in advance, each year, on a quarterly basis. These charges are a flat rate determined by the size of the service.

D. Penalties

Penalties will be charged on any balance still outstanding 45 days after the bill date. Penalties are calculated on delinquent balances no more than every 45 days thereafter. The annual rate will be that specified in the utility's Terms and Conditions as approved by the Maine Public Utilities Commission.

E. Unoccupied Properties/Minimum Charges

Any property where a meter is installed will be billed quarterly unless special arrangements have been made with the utility. Accounts using no water (zero (0) cubic feet) will be billed at the minimum rate for water and the appropriate flat rate for Sewer (RTS).

IV. Adjustments to Customer Accounts

A customer may request their account be adjusted for several different reasons. In all cases, qualified customers who wish to receive an adjustment to their bill shall apply for such an adjustment at the Water & Sewer Division Office at 103 Adams Avenue, Lewiston.

Following are allowed adjustments:

A. Water

1. Running Water: Consumption may be adjusted on an account if that customer has been asked to run their water by the utility. In this case, consumption would be adjusted prior to billing and the customer would be billed only for their actual consumption, or the utility's best estimate of such based on prior usage, for both the water and sewer portions of their bill. Reasons may include (but are not limited to) the following: Flushing hydrants, water main break, Water utility construction, possibility of pipes freezing, etc.

B. Sewer

1. One-time adjustment: A qualified customer may apply for an adjustment to the sewer portion of their bill for situations where water was consumed yet there is sufficient proof that the water *did not* return to the sewerage system. Reasons may include (but are not limited to) the following: New pool or pool repairs, new lawn, etc. Adjustments for excessive water leaks where water did not return to the sewerage system require approval on a case-by case basis and may be limited to one adjustment in a 12-month period.

2. Summer Usage Program: A qualified customer may apply to be on the Summer Usage Program to account for water used for such purposes as lawn watering, car washing, garden watering, and swimming pools, which does not return to the sewerage system.

The water portion of the bill shall be billed in accordance with the water meter reading for the respective quarter. The wastewater shall be billed based on an average of the readings from the two preceding winter quarters. If actual consumption in any given quarter is lower than the calculated average, actual consumption will be billed. The period for adjustment will not exceed two quarters in any given year.

The summer billing adjustment shall continue once a request is made by a qualified customer until such time as the customer requests to be removed from the program and their method of billing reverts back to the standard method.

The utility reserves the right to disallow or discontinue any summer usage adjustment if it can be determined that the excess water used during the summer months is returning to the sewerage system.

To qualify for the program, a customer must have a minimum of two full winter quarters of consumption on the account being applied for.

V. Collections

A. Payment on accounts

If payment is sent by mail, the bill is considered paid on the day it is received. Customers may opt to pay in person at the Water & Sewer office at 103 Adams Ave, Lewiston or at the Treasurer's Office, 2nd Floor, City Hall, Lewiston.

Payments are applied to customer accounts within one business day of the utility receiving the payment. Payments are accepted in the form of cash, check, money order, Mastercard or Visa.

Partial payments are applied to customer accounts as follows:

1. Oldest outstanding balance (by date billed)
2. Water charges first then Sewer charges

The payment is applied to each service in the following priority:

1. Penalties
2. Taxes
3. Service Charges
4. Miscellaneous Charges

Payments to liens are applied as follows:

1. Lien Fees
2. Liened Service Charges

B. Delinquent Receivable Process (PUC, Ch. 81, §9 & 10)

All open accounts receivable with late or delinquent payment activity will be handled in a timely and effective manner to ensure maximum collection. The collection process will be performed in a professional, fair, and consistent manner.

1. Residential

a. Single Family Customers

1. Water

Residential customers are considered delinquent when payment is not received by the 31st day after the billing date. A late charge is assessed on any balance still outstanding after 45 days. If the balance is not received by the 45th day and the accumulated water balance equals or exceeds \$20, the disconnection process will begin.

The disconnection process begins by sending a 14-day disconnection notice. The notice informs the customer of the delinquent account, and that the customer needs to properly respond to the utility or service will be disconnected. Proper responses include payment, payment arrangement, or notification that the customer disputes the billed amount. In the event that the utility does not receive proper response to the disconnection notice, service to the property will be disconnected on the scheduled date or within 10 business days thereafter. The disconnection day cannot be a Friday, weekend, holiday, or day before a holiday. Disconnection cannot occur if the customer has a medical emergency. (See VI, D)

2. Sewer

Residential customers are considered delinquent when payment is not received by the 31st day after the billing date. A late charge is assessed on any balance still outstanding after 45 days. Reminder notices are mailed on any balance unpaid after 45 days. If the balance remains unpaid after 120 days and the sewer balance equals or exceeds \$50, the utility reserves the right to place a sewer lien on the property, following the lien process.

<u>Delinquent Account Timeline</u>		
Single Family Residential, Industrial, Commercial, & Governmental		
<u>Water</u>	<u>Approx. Days</u>	<u>Sewer</u>
Bill Mailed	0	Bill Mailed
Bill Considered Late	31	Bill Considered Late
Shut Notice Sent	46	Delinquent Letter Sent
Penalties Added	46	Penalties Added
Shut Period Begins	59	
Shut Period Ends	73	
	121	Lien Process Begins

b. Multi-Unit Single Metered Customers

1. Water

Tenants residing in a multi-unit property (i.e. apartments) and supplied by a single water meter are given additional protection by the utility. Tenants who lease or rent can not have their water shut off for delinquent balances unless a lien has been filed against the property. The utility will follow the lien process as outlined on page 9 if the balance remains unpaid after 120 days and the water balance equals or exceeds \$50, following the lien process as outlined on page 9. If the utility does not receive proper response to the Notice of Lien, the lien will be recorded and the disconnection process will begin.

The disconnection process begins by sending a 14-day disconnection notice to the customer. The notice informs the customer of the delinquent account, and that the customer needs to properly respond to the utility or service will be disconnected. Proper responses include payment, payment arrangement, or notification that the customer disputes the billed amount. If the customer does not properly respond, the utility may disconnect the account within 10 business days of the disconnect date in the 14-day notice. The disconnection day cannot be a Friday, weekend, holiday, or day before a holiday.

In addition to notifying the customer, the utility must make a reasonable attempt to notify at least one adult occupant of each dwelling unit at least 10 business days prior to disconnection. A detailed notice will be posted at main entry doors into the premises. This notification informs the tenants of their option to avoid disconnection by agreeing to assume the responsibility of future bills for the address by opening an account in their own name. In addition, a door hanger will be placed on each dwelling unit notifying the tenant of the scheduled shut date.

In the event that the utility does not receive proper response to the disconnection notice, service to the property will be disconnected on the scheduled shut date or within 10 business days thereafter.

The utility will require a deposit in addition to reconnection fees before service to the property is reopened.

2. *Sewer*

Residential customers are considered delinquent when payment is not received by the 31st day after the billing date. A late charge is assessed on any balance still outstanding after 45 days. Reminder notices are mailed on any balance unpaid after 45 days. If the balance remains unpaid after 120 days and the sewer balance equals or exceeds \$50, the utility reserves the right to place a sewer lien on the property, following the lien process as outlined on page 9.

<u>Delinquent Account Timeline – Water & Sewer</u>		
Single –Meter Multi-Unit Residential		
<u>Water</u>	<u>Approx. Days</u>	<u>Sewer</u>
Bill Mailed	0	Bill Mailed
Bill Considered Late	31	Bill Considered Late
Penalties Added	46	Penalties Added
Penalties Added	91	Penalties Added
Lien Process Begins	121	Lien Process Begins
Shut Letter Sent	152	
Shut Period Begins	167	
Shut Period Ends	181	

2. **Industrial, Commercial, and Governmental accounts** (PUC, Ch. 86):

The utility uses the same process for industrial, commercial and governmental customers as for residential customers with the following exceptions:

Length of time between sending Disconnection Notice and date of Disconnection may be as short as seven (7) days.

Disconnection may occur on any day, including Friday or the day before a holiday.

(See timeline on Page 5)

C. Fees

If a premise visit is made, the utility will charge the customer a fee for the visit, whether the water is shut or the employee collects the balance. An additional fee is charged upon reconnection. Reconnection after 2:30 pm weekdays and on weekends or holidays will be charged a higher fee. The fees will be those amounts specified in the utility's Terms and Conditions as approved by the Maine Public Utilities Commission.

D. Medical Emergency (PUC, Ch. 81, §11)

The utility must not disconnect or refuse to reconnect any property where an occupant is certified by a registered physician to have a medical condition that will be seriously aggravated by a lack of water.

1. **Postponement of Disconnection**

Upon notification by an individual that a medical emergency exists, the utility must allow three (3) business days before disconnection may continue. If, at the end of three (3) days, certification is not received, disconnection may continue.

2. Certification Procedure

Certification may begin by a registered physician (or an agent) contacting the utility orally or in writing. Within seven (7) days, certification of a medical emergency must be confirmed on a form provided by the utility.

3. Expiration

The utility may not disconnect service for thirty (30) days or the time period specified in the certification, whichever is less.

4. Condition of Renewal

The utility may require a customer to enter into a payment arrangement as a condition of renewal of a medical emergency certification. The utility is not required to extend the combination of initial and renewal certifications beyond ninety (90) days.

5. Single-Metered Multi-Unit Properties

In the event a resident (other than the customer) of a single-metered multi-unit property has a medical emergency and the customer has not properly responded to the disconnection notice within the specified timeframe, the utility may require the resident to assume responsibility for the water service in order to avoid disconnection.

E. Returned Check Process

The City of Lewiston will automatically redeposit checks refused by the bank. If the second attempt for deposit is returned due to insufficient funds, the utility will contact the customer and request replacement funds.

If the returned check was in payment of water service, a disconnect notice may be issued to any customer not appropriately responding to the utility's request for replacement funds. In addition, the utility may assess a returned check fee to the customer's account. The fee will be that amount specified in the utility's Terms and Conditions as approved by the Maine Public Utilities Commission. The charge will be assessed for each account paid with the check.

Customers not providing replacement funds at the utility's request for a returned check, or those making payments with 'bad' checks two (2) times in two (2) years, may be prohibited from paying by personal check.

Returned Check Disconnection

Residential during 10-Day shut period:	Immediate disconnection
Residential not during shut period:	3-Day disconnection notice issued
Multi-Unit Residential:	10-Day disconnection notice issued & tenants notified
Commercial:	3-Day disconnection notice issued

F. Payment Arrangements (PUC, Ch. 81, §6)

The utility will offer reasonable payment arrangements to customers who have become delinquent on their accounts. The reasonable payment arrangement will consider the following:

- Customer's ability to pay,
- Size of the overdue amount,
- Customer's payment history,
- Reason amount is outstanding,
- Length of time to accrue the balance, and
- Would disconnection endanger the health of a household member?

The utility's payment arrangement guidelines are as follows:

1. A separate Payment Arrangement must be made for each overdue account.
2. The customer may set up one (1) additional payment arrangement if the first (1st) arrangement is broken. The customer owes the total amount due upon breaking the second payment arrangement on the same billed amount.
3. The customer must pay current bills as they come due and uphold a Payment Arrangement on the delinquent balance.
4. Payments are preferred on a weekly or biweekly basis. However, monthly agreements may be made if the situation warrants.
5. Exception to any of the above may be made with the approval of the Water & Sewer Superintendent or the Billing Manager.

The customer will be sent a letter confirming the utility's understanding of the Payment Arrangement within three (3) business days.

If payment is not received and processed by the day following the agreed upon date, a disconnection notice may be issued effective three (3) days later.

G. Lien Process

Minimum Days
from Billing Date

120	Notice of Lien to Secure Water/Sewer Charges is prepared and mailed to the property owner and to the customer, if different. The notice, sent by certified mail, informs the customer of their options – full payment, payment arrangement, or dispute the bill. The customer's account is charged the cost of the certified mailing.
151	If the customer does not properly respond to the Notice Of Lien, the utility will file the Lien Certificate with the Androscoggin County Registry of Deeds. A copy is sent to the owner certified mail. The customer's account will be charged a \$13 municipal fee, as well as the costs for recording the Lien with the registry, and the certified mail costs.
18 months	Automatic foreclosure upon maturity of lien. If the Lien remains outstanding past 18 months, the utility may enforce its ownership of the property.

The utility begins the process on any amount greater than 90 days past the due date and not more than one year old. At the utility's discretion, a lien may be filed each subsequent quarter for the amount in the next 90-day timeframe.

VI. Bankruptcy Process

When the utility receives notice from the Court that a customer has filed a Petition for Bankruptcy, the utility does the following:

1. Identifies the account(s) in that customer's name.
2. Closes the bankrupt account(s), flagging as an account closed for bankruptcy.
3. Creates new account(s) in customer's name and contacts the customer to sign for service on new account(s). The utility may require a security deposit on the new account.
4. Files proof of claim with the court for balance on closed account(s).

The utility does not perform additional collection effort on the final balance on the closed account(s) to avoid violating bankruptcy law (i.e. violating the automatic stay).

VII. Closing an Account

Upon leaving a service location, a customer contacts the utility to close their account for the location. At that time, the utility will schedule either a meter reading or removal of the meter.

A customer is responsible for any charges billed to an account until the utility is notified by that customer of the desire to close the account.

A. Meter Reading

Property being sold to another party will be scheduled for a meter reading on the date requested. Once the reading is obtained, a final bill will be processed within five (5) business days and the account will be closed. Payment is due within 30 days.

If the new customer has not contacted the utility within three (3) business days, a disconnection notice will be posted following the guidelines established for Unauthorized Use of Service (III).

B. Removing Meter

If the customer's intent is to vacate the property and discontinue service, the utility will schedule to remove the water meter. Once the meter is removed, the final reading will be processed and a final bill sent to the customer within five (5) business days. Payment is due within 30 days.

Any property with a meter installed is subject to minimum charges (IV, D).

VIII. Resolving a Dispute

A customer or applicant reserves the right to dispute decisions made by the utility. The utility must investigate the dispute, report the results of the investigation to the customer, and attempt in good faith to resolve the dispute. If the utility can not resolve the dispute, it must inform the person of his/her right to appeal the dispute to the:

Maine Public Utilities Commission, Consumer Assistance Division
18 State House Station
242 State St
Augusta, ME 04330
1-800-452-4699